

1 **HOUSING AND TRANSIT REINVESTMENT ZONE**

2 **AMENDMENTS**

3 2023 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Wayne A. Harper**

6 House Sponsor: Casey Snider

8 **LONG TITLE**

9 **General Description:**

10 This bill amends provisions related to housing and transit reinvestment zones.

11 **Highlighted Provisions:**

12 This bill:

- 13 ▶ amends definitions;
- 14 ▶ amends provisions related to the objectives and required characteristics of a housing
15 and transit reinvestment zone;
- 16 ▶ restricts how much land a proponent county may own within a housing and transit
17 reinvestment zone;
- 18 ▶ requires a housing and transit reinvestment zone proposal to include certain maps of
19 the proposed area;
- 20 ▶ requires the Governor's Office of Economic Opportunity to provide notice to certain
21 relevant entities after receiving a housing and transit reinvestment zone proposal;
- 22 ▶ requires the State Tax Commission to provide feedback to a housing and transit
23 reinvestment zone regarding the State Tax Commission's ability to administer the
24 tax implications of the proposal;
- 25 ▶ amends the membership of the housing and transit reinvestment zone committee;
- 26 ▶ amends provisions regarding circumstances in which certain counties are allowed to
27 submit a proposal for a housing and transit reinvestment zone;
- 28 ▶ provides a property owner near a public transit hub in a county with a small public
29 transit district with certain vested development rights if the county failed to submit

30 an application for a housing and transit reinvestment zone before a certain deadline; and
31 ▶ makes technical changes.

32 **Money Appropriated in this Bill:**

33 None

34 **Other Special Clauses:**

35 None

36 **Utah Code Sections Affected:**

37 AMENDS:

38 **63N-3-602**, as last amended by Laws of Utah 2022, Chapters 68, 433

39 **63N-3-603**, as last amended by Laws of Utah 2022, Chapters 21, 406 and 433

40 **63N-3-604**, as last amended by Laws of Utah 2022, Chapter 433

41 **63N-3-605**, as last amended by Laws of Utah 2022, Chapter 433



43 *Be it enacted by the Legislature of the state of Utah:*

44 Section 1. Section **63N-3-602** is amended to read:

45 **63N-3-602. Definitions.**

46 As used in this part:

47 (1) "Affordable housing" means housing occupied or reserved for occupancy by
48 households with a gross household income equal to or less than 80% of the median gross
49 income of the applicable municipal or county statistical area for households of the same size.

50 (2) "Agency" means the same as that term is defined in Section **17C-1-102**.

51 (3) "Base taxable value" means a property's taxable value as shown upon the
52 assessment roll last equalized during the base year.

53 (4) "Base year" means, for a proposed housing and transit reinvestment zone area, a
54 year beginning the first day of the calendar quarter determined by the last equalized tax roll
55 before the adoption of the housing and transit reinvestment zone.

56 (5) "Bus rapid transit" means a high-quality bus-based transit system that delivers fast
57 and efficient service that may include dedicated lanes, busways, traffic signal priority,

58 off-board fare collection, elevated platforms, and enhanced stations.

59 (6) "Bus rapid transit station" means an existing station, stop, or terminal, or a
60 proposed station, stop, or terminal that is specifically identified in a metropolitan planning
61 organization's adopted long-range transportation plan and the relevant public transit district's
62 five-year plan:

63 (a) along an existing bus rapid transit line; or

64 (b) along an extension to an existing bus rapid transit line or new bus rapid transit line.

65 ~~[(6)]~~ (7) (a) "Commuter rail" means a heavy-rail passenger rail transit facility operated
66 by a large public transit district.

67 (b) "Commuter rail" does not include a light-rail passenger rail facility of a large public
68 transit district.

69 ~~[(7) "Commuter rail station" means a station, stop, or terminal along an existing~~
70 ~~commuter rail line, or along an extension to an existing commuter rail line or new commuter~~
71 ~~rail line that is included in a metropolitan planning organization's adopted long-range~~
72 ~~transportation plan.]~~

73 (8) "Commuter rail station" means an existing station, stop, or terminal, or a proposed
74 station, stop, or terminal, which has been specifically identified in a metropolitan planning
75 organization's adopted long-range transportation plan and the relevant public transit district's
76 five-year plan:

77 (a) along an existing commuter rail line;

78 (b) along an extension to an existing commuter rail line or new commuter rail line; or

79 (c) along a fixed guideway extension from an existing commuter rail line.

80 ~~[(8)]~~ (9) (a) "Developable area" means the portion of land within a housing and transit
81 reinvestment zone available for development and construction of business and residential uses.

82 (b) "Developable area" does not include portions of land within a housing and transit
83 reinvestment zone that are allocated to:

84 (i) parks;

85 (ii) recreation facilities;

- 86 (iii) open space;
- 87 (iv) trails;
- 88 (v) publicly-owned roadway facilities; or
- 89 (vi) other public facilities.

90 ~~[(9)]~~ (10) "Dwelling unit" means one or more rooms arranged for the use of one or
91 more individuals living together, as a single housekeeping unit normally having cooking,
92 living, sanitary, and sleeping facilities.

93 ~~[(10)]~~ (11) "Enhanced development" means the construction of mixed uses including
94 housing, commercial uses, and related facilities.

95 ~~[(11)]~~ (12) "Enhanced development costs" means extra costs associated with structured
96 parking costs, vertical construction costs, horizontal construction costs, life safety costs,
97 structural costs, conveyor or elevator costs, and other costs incurred due to the increased height
98 of buildings or enhanced development.

99 (13) "Fixed guideway" means the same as that term is defined in Section [59-12-102](#).

100 ~~[(12)]~~ (14) "Horizontal construction costs" means the additional costs associated with
101 earthwork, over excavation, utility work, transportation infrastructure, and landscaping to
102 achieve enhanced development in the housing and transit reinvestment zone.

103 ~~[(13)]~~ (15) "Housing and transit reinvestment zone" means a housing and transit
104 reinvestment zone created pursuant to this part.

105 ~~[(14)]~~ (16) "Housing and transit reinvestment zone committee" means a housing and
106 transit reinvestment zone committee created pursuant to Section [63N-3-605](#).

107 ~~[(15)]~~ (17) "Large public transit district" means the same as that term is defined in
108 Section [17B-2a-802](#).

109 ~~[(16)]~~ (18) "Light rail" means a passenger rail public transit system with right-of-way
110 and fixed rails:

- 111 (a) dedicated to exclusive use by light-rail public transit vehicles;
- 112 (b) that may cross streets at grade; and
- 113 (c) that may share parts of surface streets.

114 (19) "Light rail station" means an existing station, stop, or terminal or a proposed
115 station, stop, or terminal, which has been specifically identified in a metropolitan planning
116 organization's adopted long-range transportation plan and the relevant public transit district's
117 five-year plan:

118 (a) along an existing light rail line; or

119 (b) along an extension to an existing light rail line or new light rail line.

120 ~~[(17)]~~ (20) "Metropolitan planning organization" means the same as that term is
121 defined in Section [72-1-208.5](#).

122 ~~[(18)]~~ (21) "Mixed use development" means development with a mix of multi-family
123 residential use and at least one additional land use.

124 ~~[(19)]~~ (22) "Municipality" means the same as that term is defined in Section [10-1-104](#).

125 ~~[(20)]~~ (23) "Participant" means the same as that term is defined in Section [17C-1-102](#).

126 ~~[(21)]~~ (24) "Participation agreement" means the same as that term is defined in Section
127 [17C-1-102](#), except that the agency may not provide and the person may not receive a direct
128 subsidy.

129 ~~[(22)]~~ (25) "Public transit county" means a county that has created a small public
130 transit district.

131 ~~[(23)]~~ (26) "Public transit hub" means a public transit depot or station where four or
132 more routes serving separate parts of the county-created transit district stop to transfer riders
133 between routes.

134 ~~[(24)]~~ (27) "Sales and use tax base year" means a sales and use tax year determined by
135 the first year pertaining to the tax imposed in Section [59-12-103](#) after the sales and use tax
136 boundary for a housing and transit reinvestment zone is established.

137 ~~[(25)]~~ (28) "Sales and use tax boundary" means a boundary created as described in
138 Section [63N-3-604](#), based on state sales and use tax collection that corresponds as closely as
139 reasonably practicable to the housing and transit reinvestment zone boundary.

140 ~~[(26)]~~ (29) "Sales and use tax increment" means the difference between:

141 (a) the amount of state sales and use tax revenue generated each year following the

142 sales and use tax base year by the sales and use tax from the area within a housing and transit
143 reinvestment zone designated in the housing and transit reinvestment zone proposal as the area
144 from which sales and use tax increment is to be collected; and

145 (b) the amount of state sales and use tax revenue that was generated from that same
146 area during the sales and use tax base year.

147 [~~(27)~~] (30) "Sales and use tax revenue" means revenue that is generated from the tax
148 imposed under Section 59-12-103.

149 [~~(28)~~] (31) "Small public transit district" means the same as that term is defined in
150 Section 17B-2a-802.

151 [~~(29)~~] (32) "Tax [~~commission~~] Commission" means the State Tax Commission created
152 in Section 59-1-201.

153 [~~(30)~~] (33) "Tax increment" means the difference between:

154 (a) the amount of property tax revenue generated each tax year by a taxing entity from
155 the area within a housing and transit reinvestment zone designated in the housing and transit
156 reinvestment zone proposal as the area from which tax increment is to be collected, using the
157 current assessed value and each taxing entity's current certified tax rate as defined in Section
158 59-2-924; and

159 (b) the amount of property tax revenue that would be generated from that same area
160 using the base taxable value and each taxing entity's current certified tax rate as defined in
161 Section 59-2-924.

162 [~~(31)~~] (34) "Taxing entity" means the same as that term is defined in Section
163 17C-1-102.

164 [~~(32)~~] (35) "Vertical construction costs" means the additional costs associated with
165 construction above four stories and structured parking to achieve enhanced development in the
166 housing and transit reinvestment zone.

167 Section 2. Section 63N-3-603 is amended to read:

168 **63N-3-603. Applicability, requirements, and limitations on a housing and transit**
169 **reinvestment zone.**

170 (1) A housing and transit reinvestment zone proposal created under this part shall
171 promote the following objectives:

172 (a) higher utilization of public transit;

173 (b) increasing availability of housing, including affordable housing, and fulfillment of
174 moderate income housing plans;

175 (c) improving efficiencies in parking and transportation, including walkability of
176 communities near public transit facilities;

177 (d) overcoming development impediments and market conditions that render a
178 development cost prohibitive absent the proposal and incentives;

179 [~~e~~] (e) conservation of water resources through efficient land use;

180 [~~f~~] (f) improving air quality by reducing fuel consumption and motor vehicle trips;

181 [~~e~~] (g) encouraging transformative mixed-use development and investment in
182 transportation and public transit infrastructure in strategic areas;

183 [~~f~~] (h) strategic land use and municipal planning in major transit investment corridors
184 as described in Subsection 10-9a-403(2);

185 [~~g~~] (i) increasing access to employment and educational opportunities; and

186 [~~h~~] (j) increasing access to child care.

187 (2) In order to accomplish the objectives described in Subsection (1), a municipality or
188 public transit county that initiates the process to create a housing and transit reinvestment zone
189 as described in this part shall ensure that the proposal for a housing and transit reinvestment
190 zone includes:

191 (a) except as provided in Subsection (3), at least 10% of the proposed dwelling units
192 within the housing and transit reinvestment zone are affordable housing units;

193 (b) at least 51% of the developable area within the housing and transit reinvestment
194 zone includes residential uses with, except as provided in Subsection (4)(c), an average of 50
195 dwelling units per acre or greater;

196 (c) mixed-use development; and

197 (d) a mix of dwelling units to ensure that a reasonable percentage of the dwelling units

198 has more than one bedroom.

199 (3) A municipality or public transit county that, at the time the housing and transit
200 reinvestment zone proposal is approved by the housing and transit reinvestment zone
201 committee, meets the affordable housing guidelines of the United States Department of
202 Housing and Urban Development at 60% area median income is exempt from the requirement
203 described in Subsection (2)(a).

204 (4) (a) A municipality may only propose a housing and transit reinvestment zone at a
205 commuter rail station, and a public transit county may only propose a housing and transit
206 reinvestment zone at a public transit hub, that:

207 (i) subject to Subsection (5)(a):

208 (A) (I) except as provided in Subsection (4)(a)(i)(A)(II), for a municipality, does not
209 exceed a 1/3 mile radius of a commuter rail station;

210 (II) for a municipality that is a city of the first class with a population greater than
211 150,000 that is within a county of the first class, with an opportunity zone created pursuant to
212 Section 1400Z-1, Internal Revenue Code, does not exceed a 1/2 mile radius of a commuter rail
213 station located within the opportunity zone; or

214 (III) for a public transit county, does not exceed a 1/3 mile radius of a public transit
215 hub; and

216 (B) has a total area of no more than 125 noncontiguous acres;

217 (ii) subject to Section [63N-3-607](#), proposes the capture of a maximum of 80% of each
218 taxing entity's tax increment above the base year for a term of no more than 25 consecutive
219 years on each parcel within a 45-year period not to exceed the tax increment amount approved
220 in the housing and transit reinvestment zone proposal; and

221 (iii) the commencement of collection of tax increment, for all or a portion of the
222 housing and transit reinvestment zone, will be triggered by providing notice as described in
223 Subsection (6).

224 (b) A municipality or public transit county may only propose a housing and transit
225 reinvestment zone at a light rail station or bus rapid transit station that:

226 (i) subject to Subsection (5):
227 (A) does not exceed:
228 (I) except as provided in Subsection (4)(b)(i)(A)(II) or (III), a 1/4 mile radius of a bus
229 rapid transit station or light rail station;
230 (II) for a municipality that is a city of the first class with a population greater than
231 150,000 that is within a county of the first class, a 1/2 mile radius of a light rail station located
232 in an opportunity zone created pursuant to Section 1400Z-1, Internal Revenue Code; or
233 (III) a 1/2 mile radius of a light rail station located within a master-planned
234 development of 500 acres or more; and
235 (B) has a total area of no more than 100 noncontiguous acres;
236 (ii) subject to Subsection (4)(c) and Section [63N-3-607](#), proposes the capture of a
237 maximum of 80% of each taxing entity's tax increment above the base year for a term of no
238 more than 15 consecutive years on each parcel within a 30-year period not to exceed the tax
239 increment amount approved in the housing and transit reinvestment zone proposal; and
240 (iii) the commencement of collection of tax increment, for all or a portion of the
241 housing and transit reinvestment zone, will be triggered by providing notice as described in
242 Subsection (6).
243 (c) For a housing and transit reinvestment zone proposed by a public transit county at a
244 public transit hub, or for a housing and transit reinvestment zone proposed by a municipality at
245 a bus rapid transit station, if the proposed housing density within the housing and transit
246 reinvestment zone is between 39 and 49 dwelling units per acre, the maximum capture of each
247 taxing entity's tax increment above the base year is 60%.
248 (d) A municipality that is a city of the first class with a population greater than 150,000
249 in a county of the first class as described in Subsections (4)(a)(i)(A)(II) and (4)(b)(i)(A)(II) may
250 only propose one housing and transit reinvestment zone within an opportunity zone.
251 (e) A county of the first class may not propose a housing and transit reinvestment zone
252 that includes an area that is part of a project area, as that term is defined in Section [17C-1-102](#),
253 and created under Title 17C, Chapter 1, Agency Operations, until the project area is dissolved

254 pursuant to Section [17C-1-702](#).

255 (5) (a) For a housing and transit reinvestment zone for a commuter rail station, if a
256 parcel is bisected by the relevant radius limitation, the full parcel may be included as part of the
257 housing and transit reinvestment zone area and will not count against the limitations described
258 in Subsection (4)(a)(i).

259 (b) For a housing and transit reinvestment zone for a light rail or bus rapid transit
260 station, if a parcel is bisected by the relevant radius limitation, the full parcel may be included
261 as part of the housing and transit reinvestment zone area and will not count against the
262 limitations described in Subsection (4)(b)(i).

263 (6) The notice of commencement of collection of tax increment required in Subsection
264 (4)(a)(iii) or (4)(b)(iii) shall be sent by mail or electronically to:

265 (a) the tax commission;

266 (b) the State Board of Education;

267 (c) the state auditor;

268 (d) the auditor of the county in which the housing and transit reinvestment zone is
269 located;

270 (e) each taxing entity affected by the collection of tax increment from the housing and
271 transit reinvestment zone; and

272 (f) the Governor's Office of Economic Opportunity.

273 (7) (a) The maximum number of housing and transit reinvestment zones at light rail
274 stations is eight in any given county.

275 (b) ~~[The]~~ Within a county of the first class, the maximum number of housing and
276 transit reinvestment zones at bus rapid transit stations is three ~~[in] [any given county]~~.

277 (8) (a) This Subsection (8) applies to a specified county, as defined in Section
278 [17-27a-408](#), that has created a small public transit district on or before January 1, 2022.

279 (b) (i) A county described in Subsection (8)(a) shall, in accordance with Section
280 [63N-3-604](#), prepare and submit to the Governor's Office of Economic Opportunity a proposal
281 to create a housing and transit reinvestment zone on or before December 31, 2022.

282 (ii) A county described in Subsection (8)(a) that, on December 31, 2022, was
283 noncompliant under Section 17-27a-408 for failure to demonstrate in the county's moderate
284 income housing report that the county complied with Subsection (8)(b)(i), may cure the
285 deficiency in the county's moderate income housing report by submitting satisfactory proof to
286 the Housing and Community Development Division that, notwithstanding the deadline in
287 Subsection (8)(b)(i), the county has submitted to the Governor's Office of Economic
288 Opportunity a proposal to create a housing and transit reinvestment zone.

289 (c) (i) A county described in Subsection (8)(a) may not propose a housing and transit
290 reinvestment zone if more than 15% of the acreage within the housing and transit reinvestment
291 zone boundary is owned by the county.

292 (ii) For purposes of determining the percentage of acreage owned by the county as
293 described in Subsection (8)(c)(i), a county may exclude any acreage owned that is used for
294 highways, bus rapid transit, light rail, or commuter rail within the boundary of the housing and
295 transit reinvestment zone.

296 (d) To accomplish the objectives described in Subsection (1), if a county described in
297 Subsection (8)(a) has failed to comply with Subsection (8)(b)(i) by failing to submit an
298 application before December 31, 2022, an owner of undeveloped property who has submitted a
299 land use application to the county on or before December 31, 2022, and is within a 1/3 mile
300 radius of a public transit hub in a county described in Subsection (8)(a), including parcels that
301 are bisected by the 1/3 mile radius, shall have the right to develop and build a mixed-use
302 development including the following:

303 (i) excluding the parcels devoted to commercial uses as described in Subsection
304 (8)(d)(ii), at least 39 dwelling units per acre on average over the developable area, with at least
305 10% of the dwelling units as affordable housing units;

306 (ii) commercial uses including office, retail, educational, and healthcare in support of
307 the mixed-use development constituting up to 1/3 of the total planned gross building square
308 footage of the subject parcels; and

309 (iii) any other infrastructure element necessary or reasonable to support the mixed-use

310 development, including parking infrastructure, streets, sidewalks, parks, and trails.

311 Section 3. Section **63N-3-604** is amended to read:

312 **63N-3-604. Process for a proposal of a housing and transit reinvestment zone --**

313 **Analysis.**

314 (1) Subject to approval of the housing and transit reinvestment zone committee as
315 described in Section **63N-3-605**, in order to create a housing and transit reinvestment zone, a
316 municipality or public transit county that has general land use authority over the housing and
317 transit reinvestment zone area, shall:

318 (a) prepare a proposal for the housing and transit reinvestment zone that:

319 (i) demonstrates that the proposed housing and transit reinvestment zone will meet the
320 objectives described in Subsection **63N-3-603(1)**;

321 (ii) explains how the municipality or public transit county will achieve the
322 requirements of Subsection **63N-3-603(2)(a)**;

323 (iii) defines the specific transportation infrastructure needs, if any, and proposed
324 improvements;

325 (iv) defines the boundaries of:

326 (A) the housing and transit reinvestment zone; and

327 (B) the sales and use tax boundary corresponding to the housing and transit
328 reinvestment zone boundary, as described in Section **63N-3-610**;

329 (v) includes maps of the proposed housing and transit reinvestment zone to illustrate:

330 (A) the proposed boundary and radius from a public transit hub;

331 (B) proposed housing density within the housing and transit reinvestment zone; and

332 (C) existing zoning and proposed zoning changes related to the housing and transit
333 reinvestment zone;

334 [~~(v)~~] (vi) identifies any development impediments that prevent the development from
335 being a market-rate investment and proposed strategies for addressing each one;

336 [~~(vi)~~] (vii) describes the proposed development plan, including the requirements
337 described in Subsections **63N-3-603(2)** and (4);

338 [~~(vii)~~] (viii) establishes a base year and collection period to calculate the tax increment
339 within the housing and transit reinvestment zone;

340 [~~(viii)~~] (ix) establishes a sales and use tax base year to calculate the sales and use tax
341 increment within the housing and transit reinvestment zone;

342 [~~(ix)~~] (x) describes projected maximum revenues generated and the amount of tax
343 increment capture from each taxing entity and proposed expenditures of revenue derived from
344 the housing and transit reinvestment zone;

345 [~~(x)~~] (xi) includes an analysis of other applicable or eligible incentives, grants, or
346 sources of revenue that can be used to reduce the finance gap;

347 [~~(xi)~~] (xii) evaluates possible benefits to active and public transportation availability
348 and impacts on air quality;

349 [~~(xii)~~] (xiii) proposes a finance schedule to align expected revenue with required
350 financing costs and payments; [~~and~~]

351 [~~(xiii)~~] (xiv) provides a pro-forma for the planned development including the cost
352 differential between surface parked multi-family development and enhanced development that
353 satisfies the requirements described in Subsections [63N-3-603\(2\)](#), (3), and (4); and

354 (xv) for a housing and transit reinvestment zone at a commuter rail station, light rail
355 station, or bus rapid transit station that is proposed and not in public transit service operation as
356 of the date of submission of the proposal, demonstrates that the proposed station is:

357 (A) included in a metropolitan planning organization's adopted long-range
358 transportation plan and the relevant public transit district's five-year plan; and

359 (B) reasonably anticipated to be constructed in the near future; and

360 (b) submit the housing and transit reinvestment zone proposal to the Governor's Office
361 of Economic Opportunity.

362 (2) As part of the proposal described in Subsection (1), a municipality or public transit
363 county shall study and evaluate possible impacts of a proposed housing and transit
364 reinvestment zone on parking within the city and housing and transit reinvestment zone.

365 (3) (a) After receiving the proposal as described in Subsection (1)(b), the Governor's

366 Office of Economic Opportunity shall^[7]:

367 (i) within 14 days after the date on which the Governor's Office of Economic
368 Opportunity receives the proposal described in Subsection (1)(b), provide notice of the
369 proposal to all affected taxing entities, including the Tax Commission, cities, counties, school
370 districts, and metropolitan planning organizations; and

371 (ii) at the expense of the proposing municipality or public transit county as described
372 in Subsection (5), contract with an independent entity to perform the gap analysis described in
373 Subsection (3)(b).

374 (b) The gap analysis required in Subsection (3)(a)(ii) shall include:

375 (i) a description of the planned development;

376 (ii) a market analysis relative to other comparable project developments included in or
377 adjacent to the municipality or public transit county absent the proposed housing and transit
378 reinvestment zone;

379 (iii) an evaluation of the proposal to and a determination of the adequacy and efficiency
380 of the proposal;

381 (iv) an evaluation of the proposed increment capture needed to cover the enhanced
382 development costs associated with the housing and transit reinvestment zone proposal and
383 enable the proposed development to occur; and

384 (v) based on the market analysis and other findings, an opinion relative to the
385 ~~[minimum]~~ appropriate amount of potential public financing reasonably determined to be
386 necessary to achieve the objectives described in Subsection 63N-3-603(1).

387 (c) After receiving notice from the Governor's Office of Economic Opportunity of a
388 proposed housing and transit reinvestment zone as described in Subsection (3)(a)(i), the Tax
389 Commission shall:

390 (i) evaluate the feasibility of administering the tax implications of the proposal; and

391 (ii) provide a letter to the Governor's Office of Economic Opportunity describing any
392 challenges in the administration of the proposal, or indicating that the Tax Commission can
393 feasibly administer the proposal.

394 (4) After receiving the results from the analysis described in Subsection (3)(b), the
395 municipality or public transit county proposing the housing and transit reinvestment zone may:

396 (a) amend the housing and transit reinvestment zone proposal based on the findings of
397 the analysis described in Subsection (3)(b) and request that the Governor's Office of Economic
398 Opportunity submit the amended housing and transit reinvestment zone proposal to the housing
399 and transit reinvestment zone committee; or

400 (b) request that the Governor's Office of Economic Opportunity submit the original
401 housing and transit reinvestment zone proposal to the housing and transit reinvestment zone
402 committee.

403 (5) (a) The Governor's Office of Economic Opportunity may accept, as a dedicated
404 credit, up to \$20,000 from a municipality or public transit county for the costs of the gap
405 analysis described in Subsection (3)(b).

406 (b) The Governor's Office of Economic Opportunity may expend funds received from a
407 municipality or public transit county as dedicated credits to pay for the costs associated with
408 the gap analysis described in Subsection (3)(b).

409 Section 4. Section **63N-3-605** is amended to read:

410 **63N-3-605. Housing and Transit Reinvestment Zone Committee -- Creation.**

411 (1) For any housing and transit reinvestment zone proposed under this part, there is
412 created a housing and transit reinvestment zone committee with membership described in
413 Subsection (2).

414 (2) Each housing and transit reinvestment zone committee shall consist of the
415 following members:

416 (a) one representative from the Governor's Office of Economic Opportunity, designated
417 by the executive director of the Governor's Office of Economic Opportunity;

418 (b) one representative from each municipality that is a party to the proposed housing
419 and transit reinvestment zone, designated by the chief executive officer of each respective
420 municipality;

421 (c) a member of the Transportation Commission created in Section 72-1-301;

- 422 (d) a member of the board of trustees of a large public transit district;
423 ~~[(e) one representative from the Department of Transportation created in Section~~
424 ~~72-1-201, designated by the executive director of the Department of Transportation;]~~
425 ~~[(d) one representative from a large public transit district that serves the proposed~~
426 ~~housing and transit reinvestment zone area, designated by the chair of the board of trustees of a~~
427 ~~large public transit district;]~~
428 (e) one individual from the Office of the State Treasurer, designated by the state
429 treasurer;
430 (f) one member designated by the president of the Senate;
431 (g) one member designated by the speaker of the House of Representatives;
432 ~~[(h) one individual from the tax commission, designated by the executive director of~~
433 ~~the tax commission;]~~
434 ~~[(i)] (h) one member designated by the chief executive officer of each county affected~~
435 ~~by the housing and transit reinvestment zone;~~
436 ~~[(j)] (i) one representative designated by the school superintendent from the school~~
437 ~~district affected by the housing and transit reinvestment zone; and~~
438 ~~[(k)] (j) one representative, representing the largest participating local taxing entity,~~
439 ~~after the municipality, county, and school district.~~
440 (3) The individual designated by the Governor's Office of Economic Opportunity as
441 described in Subsection (2)(a) shall serve as chair of the housing and transit reinvestment zone
442 committee.
443 (4) (a) A majority of the members of the housing and transit reinvestment zone
444 committee constitutes a quorum of the housing and transit reinvestment zone committee.
445 (b) An action by a majority of a quorum of the housing and transit reinvestment zone
446 committee is an action of the housing and transit reinvestment zone committee.
447 (5) After the Governor's Office of Economic Opportunity receives the results of the
448 analysis described in Section 63N-3-604, and after the Governor's Office of Economic
449 Opportunity has received a request from the submitting municipality or public transit county to

450 submit the housing and transit reinvestment zone proposal to the housing and transit
451 reinvestment zone committee, the Governor's Office of Economic Opportunity shall notify each
452 of the entities described in Subsection (2) of the formation of the housing and transit
453 reinvestment zone committee.

454 (6) (a) The chair of the housing and transit reinvestment zone committee shall convene
455 a public meeting to consider the proposed housing and transit reinvestment zone.

456 (b) A meeting of the housing and transit reinvestment zone committee is subject to
457 Title 52, Chapter 4, Open and Public Meetings Act.

458 (7) (a) The proposing municipality or public transit county shall present the housing
459 and transit reinvestment zone proposal to the housing and transit reinvestment zone committee
460 in a public meeting.

461 (b) The housing and transit reinvestment zone committee shall:

462 (i) evaluate and verify whether the elements of a housing and transit reinvestment zone
463 described in Subsections 63N-3-603(2) and (4) have been met; and

464 (ii) evaluate the proposed housing and transit reinvestment zone relative to the analysis
465 described in Subsection 63N-3-604(2).

466 (8) (a) Subject to Subsection (8)(b), the housing and transit reinvestment zone
467 committee may:

468 (i) request changes to the housing and transit reinvestment zone proposal based on the
469 analysis, characteristics, and criteria described in Section 63N-3-604; or

470 (ii) vote to approve or deny the proposal.

471 (b) Before the housing and transit reinvestment zone committee may approve the
472 housing and transit reinvestment zone proposal, the municipality or public transit county
473 proposing the housing and transit reinvestment zone shall ensure that the area of the proposed
474 housing and transit reinvestment zone is zoned in such a manner to accommodate the
475 requirements of a housing and transit reinvestment zone described in this section and the
476 proposed development.

477 (9) If a housing and transit reinvestment zone is approved by the committee:

478 (a) the proposed housing and transit reinvestment zone is established according to the
479 terms of the housing and transit reinvestment zone proposal;

480 (b) affected local taxing entities are required to participate according to the terms of the
481 housing and transit reinvestment zone proposal; and

482 (c) each affected taxing municipality is required to participate at the same rate as a
483 participating county.

484 (10) A housing and transit reinvestment zone proposal may be amended by following
485 the same procedure as approving a housing and transit reinvestment zone proposal.